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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,659	06/09/2005	Thomas Fuehrer	10194/3839	9228

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EXAMINER	
JAHANGIR, KABIR U	
ART UNIT	**PAPER NUMBER**
2169	
MAIL DATE	**DELIVERY MODE**
07/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/510,659	FUEHRER ET AL.	
	Examiner	Art Unit	
	Kabir Jahangir	2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *6-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *6-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Action is responsive to the applicants' amendment filed on April 27, 2007. The instant application having Application No. 10/510659 has a total of 8 claims pending in the application; there are 3 independent claims and 5 dependent claims, all of which are ready for examination by the examiner.

Response to Arguments

2. Applicant's arguments, filed April 27, 2007, with respect to the rejection(s) of claim(s) 6-13 have been fully considered and are persuasive. However, upon further consideration, a new ground(s) of rejection is made.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 6-8 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devore et al. (US Patent 3821703, hereafter "Devore") in view Banister et al. (US Patent 6567390, hereafter "Banister").

Devore and Banister are analogous art because they are from the same field of endeavor of data transmission.

As per claim 6, Devore teaches:

A method for padding segments for transmitting data on a bus system (see padding segment, in Abstract), the segments having a preset total number of binary information pieces (see predetermined number of data, in col. 2 lines 45-50), comprising: transmitting the data in the segments (see transferring signal data, in col. 2 lines 35-39); and in the event of transmission of data including less binary information than a predetermined total number of the segments, padding the total number of the segments by a filling pattern of a corresponding number of binary information pieces (see padding the segment to make a full segment, in col. 2 lines 55-63), wherein the filling pattern includes a number of binary information pieces that corresponds to the total number of the segments (see padding the bit sufficient enough to make a full segment which is the fixed number, in col. 2 lines 55-63). However, Devore does not disclose that padding data are first written into the segment, and wherein the binary information of the data is subsequently written into the same segment, the particular

binary information of the filling pattern being overwritten by the binary information of the data.

Banister discloses that padding data are first written into the segment, and wherein the binary information of the data is subsequently written into the same segment, the particular binary information of the filling pattern being overwritten by the binary information of the data (see first initializing the frame with padding bits then overwriting with the actual data, in col. 7 lines 15-28).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the initialization of padding bits first, then overwriting with the actual data of Banister with Devore because it would help to enhance error control (see col. 2 lines 35-39 of Devore).

As per claims 7,11 and 13, as set forth in claims 6, 10 and 12 respectably, Devore teaches that binary information pieces include bytes (see signal data are in bytes, in Abstract and col. 4 lines 55-67).

As per claim 8, as set forth in claim 6, Devore teaches the binary information of the filling pattern and the binary information of the data are written in a buffer memory into the segment, and the segment is transmitted from the buffer memory to the bus

system (see data are processed in buffer system, in col. 2 lines 62-68 and col. 3 lines 1-2).

As per claim 10, a device for padding segments for transmitting data on a bus system (see padding segment, in Abstract), the segments having a predetermined total number of binary information pieces (see predetermined number of data, in col. 2 lines 45-50), comprising: a first arrangement for transmitting the data in the segments (see transferring signal data, in col. 2 lines 35-39); and a second arrangement for, in the event of transmission of data including less binary information than the predetermined total number of the segment, padding the total number of the segment through a filling pattern of a corresponding number of binary information pieces (see padding the segment to make a full segment, in col. 2 lines 55-63), wherein the second means first writes the filling pattern, whose number of binary information pieces corresponds to the total number of the Segment, into the segment (see padding the bit sufficient enough to make a full segment which is the fixed number, in col. 2 lines 55-63). However, Devore does not disclose that padding data are first written into the segment, and wherein the binary information of the data is subsequently written into the same segment, the particular binary information of the filling pattern being overwritten by the binary information of the data.

Banister discloses that padding data are first written into the segment, and wherein the binary information of the data is subsequently written into the same

segment, the particular binary information of the filling pattern being overwritten by the binary information of the data (see first initializing the frame with padding bits then overwriting with the actual data, in col. 7 lines 15-28).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the initialization of padding bits first, then overwriting with the actual data of Banister with Devore because it would help to enhance error control (see col. 2 lines 35-39 of Devore).

As per claim 12, a bus system, comprising: a device for padding segments for transmitting data on the bus system (see padding segment, in Abstract), the segments having a predetermined total number of binary information pieces (see predetermined number of data, in col. 2 lines 45-50), the device including: a first arrangement for transmitting the data in the segments (see transferring signal data, in col. 2 lines 35-39); and a second arrangement for, in the event of transmission of data including less binary information than the predetermined total number of the segment, padding the data to the total number of the segment through a filling pattern of a corresponding number of binary information pieces (see padding the segment to make a full segment, in col. 2 lines 55-63), wherein the second means first writes the filling pattern, whose number of binary information pieces corresponds to the total number of the segment (see padding the bit sufficient enough to make a full segment which is the

fixed number, in col. 2 lines 55-63). However, Devore does not disclose that padding data are first written into the segment, and wherein the binary information of the data is subsequently written into the same segment, the particular binary information of the filling pattern being overwritten by the binary information of the data.

Banister discloses that padding data are first written into the segment, and wherein the binary information of the data is subsequently written into the same segment, the particular binary information of the filling pattern being overwritten by the binary information of the data (see first initializing the frame with padding bits then overwriting with the actual data, in col. 7 lines 15-28).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the initialization of padding bits first, then overwriting with the actual data of Banister with Devore because it would help to enhance error control (see col. 2 lines 35-39 of Devore).

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Devore et al. (US Patent 3821703, hereafter "Devore") in view Banister et al. (US Patent 6567390, hereafter "Banister") as applied to claim 6 above, and further in view of Padovani et al. (US Patent Application 2003/0063583, hereafter "Padovani").

Devore, Banister and Padovani are analogous art because they are from the same field of endeavor of data transmission.

As per claim 9, Devore and Banister disclose padding segments for transmitting data in a bus system. However, does not disclose that the bus system is a time-controlled bus system, and the segments correspond to time slots on the bus system, the data being transmitted in the corresponding time slots.

Padovani discloses that the bus system is a time-controlled bus system, and the segments correspond to time slots on the bus system, the data being transmitted in the corresponding time slots (see process the data packet over a time slot, in paragraph [0020]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the time controlled bus system of Padovani with Devore and Banister because it would help to optimize the efficiency of data communication (see paragraph [009] of Padovani).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nishio et al. US 6349348, and White et al. US 7007114.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kabir Jahangir whose telephone number is 571-270-1761. The examiner can normally be reached on Mon-Fri, 7:30am-5:00pm EST every other Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KJ

KJ

Patent Examiner

June 28, 2007

CHRISTIAN CHACE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100